



Board of Vocational Nursing and Psychiatric Technicians
 2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
 Phone 916-263-7800 Fax 916-263-7859 www.bvnpt.ca.gov

Board Meeting Minutes

DATE: Friday, April 20, 2018

LOCATION: **Sacramento** – Department of Consumer Affairs, 1625 North Market Street, Hearing Room – South, Room 102, Sacramento, CA 95834

South El Monte – Bureau of Automotive Repair, 1180 Durfee Avenue, Suite 120, South El Monte, CA 91733

Redding – Caltrans – District 2, 1657 Riverside Drive, Executive Conference Room – 1st Floor, Redding, CA 96001

Atascadero – Department of State Hospitals – Atascadero, Conference Room 500, 10333 El Camino Real, Atascadero, CA 93423

San Diego – Bureau of Automotive Repair, 16855 West Bernardo Drive, Suite 112, San Diego, CA 92127

BOARD MEMBERS PRESENT:

Tammy Endozo, LVN Member, President (San Diego)
 Bernice Bass de Martinez, Public Member, Vice-President (Sacramento)
 Paula Amezola de Herrera, Public Member (South El Monte)
 Aleta Carpenter, Public Member (Redding)
 John Dierking, Public Member (South El Monte)
 Samantha James-Perez, PT Member (South El Monte)
 Ken Maxey, Public Member (Sacramento)
 Cheryl C. Turner, Public Member (South El Monte)
 Paul Sellers, PT Member (Atascadero)

BOARD MEMBERS NOT PRESENT:

Donna Norton, Public Member

STAFF PRESENT:

Elaine Yamaguchi, Executive Officer
 Vicky Lyman, Assistant Executive Officer
 Kenneth Swenson, Legal Counsel, Department of Consumer Affairs
 Jay Prouty, Enforcement Program Manager (Discipline Unit)
 Samantha Calma, Budget Analyst
 Timothy Matsumoto, Education Analyst
 Jenny Penales, Board Analyst

Agenda Item 1 Call to Order, Roll Call, and Establishment of Quorum.

The meeting was called to order by **Ms. Endozo**, at 10:15 a.m. on April 20, 2018. Board Members introduced themselves by announcing their names, location, and noting if members of the public were in attendance. There was an announcement that **Mr. Maxey** was to arrive late. Establishment of quorum was confirmed.

Agenda Item 2 Pledge of Allegiance.

Board Members and staff present assembled in the pledge of allegiance.

Agenda Item 3 Introduction of Board Members and Staff/Chair's Remarks.

Ms. Yamaguchi, Executive Officer, introduced herself and staff present. **Kenneth Swenson**, DCA Legal Counsel, introduced himself. All staff members were present in Sacramento at the CA Hearing Room location.

Agenda Item 4 Public Comment on Items Not on the Agenda.

Ms. Endozo asked if there were any comments from the public.

Note: The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125. 7(a)).

Public Comment:

None

Agenda Item 5 Update from Administrative Committee Regarding Staff Engagement Survey.

Administrative Committee received the staff engagement survey, which will be discussed during the May Board Meeting.

Public Comment:

None

Board Discussion:

None

Agenda Item 6 Discussion and Possible Action Regarding Fee Structure Legislation.

Board Members were provided with two (2) documents: 1) Senate Business, Professions & Economic Development Committee Fee Background Information Questionnaire and, 2) Proposed Business and Professions Bill Language.

This report is being presented to the Board because of the need to increase fees to offset the structural deficit. The Board is projected to have a \$811,000 deficit in FY 2019-20 if revenue and expenditure projections are realized and unchanged prior to that fiscal year. Due to a historically high vacancy rate, programmatic savings, and merging the VN and PT funds, the Board has been able to sustain a healthy, but declining fund balance. There are various fees that are being altered and new fees being introduced to offset the imbalance. As the Board becomes more stable from a leadership perspective, vacancies are being eliminated and the Board is projected to expend close to its entire budget authority.

Public Comment:

Coby Pizzotti, California Association of Psychiatric Technicians, stated that he agrees with the increased school fees. He also voiced his support for the motion below.

Board Discussion:

Reasoning for fee increases and reformed fees:

- Structural deficit
- Need for increase in revenues to offset the deficit
- Changes in fee so fees charged are the same for the type of services being provided
- New fee category to begin charging fees for the NEC services being provided
- Staff looked at the Boards budget broken down into 4 categories:
 - Applicants/Licensees
 - Enforcement
 - Education
 - Administration
- Since schools/programs are not charged a fee for the NEC services they receive, beginning to charge the fees in the proposal will help offset a portion of the Education budgeted costs.

VN/PT Fees:

- The exam, initial license and renewal fee will be going up from \$150 to \$220 for VNs starting January 1, 2019 which is a \$70 increase.
- PTs exam fees will slightly be different to reflect the fact that the Board pays the exam fee to PSI while the VNs pay the fee to Pearson Vue.
- The PTs initial license fee and renewal fee will be decreased
- The changes in the VN/PT fee structure was done to create equity thus the same fee is being charged to both VN/PTs for the same type of service provided to them.

New Fees for School:

- A comparison analysis of the regulatory requirements to approve school programs by the Board of Registered Nursing (BRN) and the regulatory requirements to approve VN/PT schools indicate almost the same amount of NEC work is required by BVNPT's NEC staff.
- Since the nature of the NEC work in both Boards is almost identical, staff recommended the Board's new school program fees start out half of what the BRN program charges.

- Several Board members voiced their concern over the amount of the fee and if public and non-profit schools could afford the new fees. Boards members questioned if a waiver of the fee or an incremental increase could be implemented over time.

After considerable discussion on how to word the motion and some confusion as to what can or cannot be voted on, Legal Counsel Swenson clarified the motion before the Board to include the following:

Motion: Deem proposed bill language, accept report and adopt recommendations, and authorize staff to make non-substantive or technical changes to report.

Recommendations include:

Vocational Nurse

- Create §2881.2, §2892.7
- Amend §2895, §2892.6

Psychiatric Technician

- Create §4518.1 now 4548(k), §4533
- Amend §4548, §4518

Moved/Seconded: Aleta Carpenter/John Dierking

Member Name	Yes	No	Abstain	Absent	Recusal
Tammy Endozo		X			
Bernice Bass de Martinez	X				
Aleta Carpenter	X				
Paul Sellers		X			
John Dierking	X				
Paula Amezola De Herrera	X				
Samantha James-Perez	X				
Cheryl Turner		X			
Ken Maxey	X				
Donna Norton				X	

After the 1st motion was ratified, a 2nd motion was voted on.

Motion: Staff is to provide more research analysis to getting feedback from the Nursing Educations Consultants on what their required responsibilities are, the possibility to impose to increase fee in increments, and providing equity, waiver, or discount for public and non-profit schools. These reports are to be presented to the Board during the May Board Meeting.

Moved/Seconded: Cheryl Turner/Ken Maxey

Member Name	Yes	No	Abstain	Absent	Recusal
Tammy Endozo	X				
Bernice Bass de Martinez	X				
Aleta Carpenter	X				
Paul Sellers	X				
John Dierking	X				
Paula Amezola De Herrera	X				
Samantha James-Perez	X				

Cheryl Turner	X				
Ken Maxey	X				
Donna Norton				X	

Agenda Item 7 Suggestions for Future Agenda Items.

No Public Comment

Board Discussions:

Ms. Endozo confirmed that the NEC’s staff report will be included in the May Board Meeting.

Agenda Item 8 Adjournment.

The meeting was adjourned at 12:04 p.m.

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast this meeting on its website at <https://thedcapage.wordpress.com/webcasts/>. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast in not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification to participate in the meeting may make a request by contacting: Jenny Penales, Administrative Assistant at (916) 263-7845, email: Jenny.Penales@dca.ca.gov or send a written request to the Board of Vocational Nursing and Psychiatric Technicians, 2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

Prepared by: _____

Date: _____

Elaine Yamaguchi
Executive Officer

Approved by: _____

Date: _____

Tammy Endozo, LVN
Board President

DRAFT